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CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being submitted by First Class mail to the US Patent and Trademark Office: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 or transmitted by facsimile to the U.S. Patent and Trademark Office, Fax No. (703)872-9306.

Date: 9/26/05

By: Patti Hespell  
Patti Hespell

Mail Stop Amendment

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In Re: Patent Application of Richard König**

Conf. No.: 9504 : Group Art Unit: 3622  
Appln. No.: 10/790,487 : Examiner: Arthur D. Duran  
Filing Date: March 1, 2004 : Att'y. Docket No.: HMM-101  
Title: Advertisement Substitution

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Each of the documents listed on the attached Information Disclosure Statement Citation Form PTO/SB/08A may be material to the patentability of the above-identified patent application and/or may result in a duty to disclose in accordance with 37 C.F.R. §1.56.

In accordance with the official waiver posted July 11, 2003, copies of the U.S. Patents and U.S. Patent Publications listed on the attached Form PTO/SB/08A are not being provided. However, copies of the foreign references and non-patent documents are enclosed. The official waiver withdraws the requirement under 37 C.F.R. § 1.98(a)(2)(i) for submitting copies of each listed U.S. Patent and U.S. Patent Application Publication with respect to applications filed after June 30, 2003. Copies of the listed U.S. Patent documents will be provided upon request.

A copy of the International Search Report dated July 28, 2004, for co-pending, corresponding International Application Number PCT/GB2004/000955 is enclosed.

A copy of the British Search Report dated July 22, 2004, for co-pending, corresponding British Application GB 0405180.1 is enclosed.

An English language summary of the Spanish document FULLÀ, et al; "Detección de anuncios en secuencias de television" is enclosed. A copy of the original Spanish document is also enclosed for the Examiner's convenience.

The filing of this Information Disclosure Statement shall not be construed as an admission that any of the listed documents constitute prior art, nor as an admission against interest in any manner.

This Information Disclosure Statement is being submitted:

- ☒ (1) within three (3) months of the filing date, entry into national phase in an international application or before the mailing date of the First Office Action; or
- ☐ (2) after the period defined in (1) above but before the mailing date of a Final Rejection or Notice of Allowance, and
  - ☐ Certification is made below, or
  - ☐ The check or authorization to charge deposit account in the amount of the fee set forth by 37 C.F.R. §1.17(p) is attached.
- ☐ (3) after the mailing date of a Final Rejection or Notice of Allowance but before the payment of the Issue Fee, and
  - ☐ Applicant hereby Petitions the Commissioner to consider the attached references; Certification is made below and the fee is included.

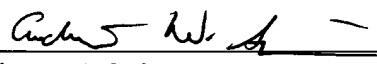
No fee is believed to be due in connection with the filing of this Information Disclosure Statement since it is being filed before the first Office Action on the merits of the above-identified

Application No. 10/790,487

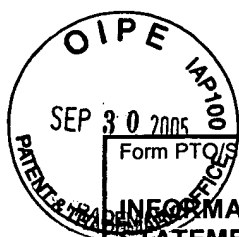
application. However, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayments to Deposit Account No. **503061**.

It is respectfully requested that this Information Disclosure Statement and the documents listed on the attached Form PTO/SB/08A be considered and acknowledged by the Examiner in connection with the above-identified patent application, be made of record therein, and that the listed document(s) be cited in the issued patent.

Respectfully submitted,

  
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Date: 9/26/05



Form PTO/SB/08A		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		<b>Application Number</b>	10/790,487
		<b>Filing Date</b>	01 March 2004
		<b>First Named Inventor</b>	König, Richard
		<b>Group Art Unit</b>	2611
		<b>Examiner Name</b>	Unknown
<b>Sheet</b>	1	<b>of</b>	2
		<b>Attorney Docket Number</b>	HMM-101

U.S. PATENT DOCUMENTS			
Exr Initials	U.S. Patent Document		Name of First Inventor of Cited Document
	Number	Kind Code (if known)	
	US5389964		Oberle
	US5436653		Ellis
	US5978381		Perlman et al
	US6002443		Iggulden
	US6425127		Bates
	US6469749		Dimitrova
	US6633651		Hirzalla
	US6698020		Zigmond et al
	US20020010919A1		Daozheng
	US20020059580A1		Kalker
	US20020120925A1		Logan
	US20030001970A1		Petry
	US20030023972A1		Gutta

FOREIGN PATENT DOCUMENTS					
Exr Initials	Foreign Patent Document			Name of Applicant of Cited Document	Date of Publication of Cited Document MM-YYYY
	Country Code	Number	Kind Code (if known)		
		WO00/070869		Hershtik	11-2000
		WO02/03227		Wolfe	01-2002
		WO03/052551A2		Swix	06-2003
		WO03/105377		Toivokoski	12-2003
		GB2361127		Morgan et al	10-2001
		GB2361128		Kydd et al	10-2001
		GB2365649		McNamee G.	02-2002
		GB2399976		König	09-2004

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS		
Exr Initials	Include Name of first Author (in CAPITAL LETTERS), title of the article (where appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), volume-issue number(s), page(s), date (in parentheses). If a book, also include publisher and city and/or county where published.	T <sub>1</sub>
	FULLA, et al; "Detección de anuncios en secuencias de television"; Universidad Politécnica de Valencia, Dept de Comunicaciones, October 13, 2003, 100 pgs.	A
	FULLA et al, "Detection of TV Commercials"; Technical University of Valencia, pgs. 541-544	✓
	DIMITROVA, et al; "On Selective Video Content Analysis & Filtering"; IS&T/SPIE Conf. on Storage and Retrieval of Media Databases; January 2000; SPIE Vol 3972; 10 pgs.	✓
	DIMITROVA, et al; "Applications of Video Content Analysis and Retrieval"; IEEE Multimedia, July-September, 2002; pages 42 - 54	✓
	DRUCKER; et al; "Smartskip: Consumer Level Browsing and Skipping of Digital Video Content"; Technology to Help people find information; Minn, MN; April 20-25, 2002; Volume 4, Issue 1; pages 219-226	✓

<b>Examiner Signature</b>		<b>Date Considered</b>	
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T<sub>1</sub> - Place a check mark if complete document is in English; otherwise, place a letter "A" if only an English abstract is attached.

Form PTO/SB/08A		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		<b>Application Number</b>	10/790,487
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<b>Sheet</b>	2	<b>of</b>	2
		<b>Attorney Docket Number</b>	HMM-101

U.S. PATENT DOCUMENTS				
Exr Initials	U.S. Patent Document		Name of First Inventor of Cited Document	Date of Publication of Cited Document MM-YYYY
	Number	Kind Code (if known)		
	US20040194130A1		König	09-2004
	US20040189873A1		König	09-2004
	US20050172312A1		Lienhart	08-2005
	US20050177847A1		König	08-2005
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	11/067,003		König	
	11/067,196		Eldering	
	11/135,135		Lienhart	
	11/112,529		Petersen	

FOREIGN PATENT DOCUMENTS						
Exr Initials	Foreign Patent Document			Name of Applicant of Cited Document	Date of Publication of Cited Document MM-YYYY	T <sub>1</sub>
	Country Code	Number	Kind Code (if known)			
		JP11185039		Hiromi	07-1999	A
		JP11213163		Kenji	08-1999	A
		JP21024956		Akio	01-2001	A
		JP21111921		Takeshi	04-2001	A
		JP22329205		Junko	11-2002	A

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS		
Exr Initials	Include Name of first Author (in CAPITAL LETTERS), title of the article (where appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), volume-issue number(s), page(s), date (in parentheses). If a book, also include publisher and city and/or county where published.	T <sub>1</sub>

<b>Examiner Signature</b>		<b>Date Considered</b>	
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